

Appl. No. 10/071,537  
Response dated May 6, 2009  
Reply to Advisory Action of November 11, 2008

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**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

**Claim 1 (currently amended):** A system for delivering shopping incentives individually customized to influence each customer by using products currently being considered by the customer and the customer's past shopping behavior metrics to encourage the purchase of products having machine readable codes where said incentives are generated by a plurality of independently competing manufacturer controlled dynamic incentive offer engines each receiving data about the product being considered and the consumer's past shopping behavior metrics to enable the targeted customization of each incentive said engine will generate to meet the manufacturer's objectives, and where the incentives are presented to the customer at the time a purchase decision is being made, said system comprising:

- a. a wireless device having a scanning means usable by the shopper to read the machine readable codes;
- b. a computer readable medium storing a processing application that accesses ~~having stored~~ shopper data relating to determining a customer behavior customized shopping incentive for the shopper wherein said stored shopper data is comprised of demographic information and past shopping behavior metrics for each product class as derived from the item first scanned while shopping within the product class on a shopping trip, the product class incentives offered on said shopping trip, the product class incentives selected to be redeemed on said shopping trip, and the product class incentives declined on said shopping trip;

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- c. said wireless device having a first communication means for communicating the machine readable code and stored shopper data ~~information~~ to said processing application;
- d. one or more computer readable mediums storing a plurality of independently competing manufacturer controlled dynamic incentive offer engines having manufacturer controlled logic of a computer implemented process that creates a customized shopping incentive determined by combining the stored shopper ~~customer~~ data received from said processing application with the manufacturer's internal concerns including being at least marketing budget and internal market share objectives;
- e. said processing application having a second communication means for communicating said data relating to determining a ~~customer behavior~~ customized shopping incentive to the plurality of incentive offer engines;
- f. each of the plurality of incentive offer engines having a third communication means for communicating the customized shopping incentives to said processing application;
- g. said processing application having a fourth communication means for communicating the customized shopping incentives to said wireless device;
- h. said wireless device having a user interface usable by the shopper to select the incentives to be redeemed;
- i. said wireless device having a fifth communication means for communicating said customized shopping incentives to be redeemed to a point of sale system; and
- j. said wireless device having a sixth communication means for communicating said customized shopping incentives to be redeemed to said processing application.

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**Claim 2 (original):** The system according to claim 1, wherein said scanning means comprises a bar code scanner and said machine readable codes are selected from the group consisting of universal product code bar codes, one dimensional bar codes, two dimensional bar codes, reduced space symbology, and composite symbology.

**Claim 3 (currently amended):** The system according to claim 1, wherein said first communication means, said fourth communication means, and said sixth communication means ~~comprises~~ employ wireless communication methods as selected from the group consisting of cellular communications and radio frequency communications.

**Claim 4 (canceled):**

**Claim 5 (currently amended):** The system according to claim 1, wherein said second communication means, and said third communication means ~~are~~ employ computer connections selected from the group consisting of local area network, wide area network, the Internet, online network, direct modem, cellular communications and radio frequency communications.

**Claim 6 (original):** The system according to claim 1, wherein said fifth communication means comprises a display that dynamically renders bar codes and is scannable by the (a) bar code reader of the point of sale system.

**Claim 7 (currently amended):** The system according to claim 1, wherein said fifth communication means comprises a wireless communication with the point of sale system ~~using~~ employing short range wireless methods selected from the group consisting of radio frequency and infrared.

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**Claim 8 {original):** The system according to claim 1, wherein said wireless device further comprises global positioning system circuitry.

**Claim 9 (currently amended):** A method for delivering shopping Incentives Individually customized to influence each customer by using products currently being considered by the customer and the customer's past shopping behavior metrics to encourage the purchase of products having machine readable codes where said incentives are generated by a plurality of Independently competing manufacturer controlled dynamic Incentive offer engines each receiving data about the product being considered and the consumer's past shopping behavior metrics that enable the targeted customization of each Incentive said engine will generate to meet the manufacturer's objectives, and where the Incentives are presented to the customer at the time a purchase decision is being made, said method comprising the steps of:

- a. providing a wireless device having a scanning means usable by the shopper;
- b. reading ~~a~~ the machine readable code by the wireless device;
- c. providing a processing application ~~having~~ accessing stored shopper data relating to determining a customer behavior customized shopping Incentive for the shopper wherein said stored shopper data is comprised of demographic information and past shopping behavior metrics for each product class as derived from the item first scanned while shopping within the product class on a shopping trip, the product class incentives offered on said shopping trip, the product class Incentives selected to be redeemed on said shopping trip, and the product class incentives declined on said shopping trip;
- d. communicating the machine readable code and stored shopper data ~~information~~ to said processing application from said wireless device;
- e. evaluating said machine readable code and stored shopper data ~~information~~ to determine ~~a said~~ consumer influence profile by said processing application;

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- f. providing a plurality of independently competing manufacturer controlled dynamic incentive offer engines each having manufacturer controlled logic of a computer implemented process that creates a dynamically-customized shopping incentive determined by combining the consumer influence profile ~~customer~~ ~~data~~ received from said processing application with the manufacturer's internal concerns including at least marketing budget and internal market share objectives;
- g. communicating said consumer influence profile to said plurality of independently competing manufacturer controlled dynamic incentive offer engines from said processing application;
- h. determining a dynamically-customized shopping Incentive for said shopper by each of said independently competing manufacturer controlled dynamic incentive offer engines;
- i. communicating said dynamically-customized ~~custom~~ shopping incentives to said processing application from said plurality of independently competing manufacturer controlled dynamic incentive offer engines;
- j. communicating said dynamically-customized ~~custom~~ shopping incentives to said wireless device from said processing application;
- k. selecting said dynamically-customized ~~custom~~ shopping incentives to be redeemed by the shopper;
- l. communicating the selected dynamically-customized shopping incentives to be redeemed to a point of sale system from said wireless device; and
- m. communicating the selected dynamically-customized shopping incentives to be redeemed to said processing application from said wireless device.

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**Claim 10 (currently amended):** The method according to claim 9, wherein said step of communicating the machine readable code and stored shopper data information to said processing application from said wireless device is performed by wireless communication means.

**Claim 11 (currently amended):** The method according to claim 9, wherein said step of communicating said stored shopper data information including data that comprises a consumer influence profile to said plurality of independently competing manufacturer controlled dynamic incentive offer engines from said processing application is performed by the processing application connected to each of the incentive offer engines via a method connection selected from the group consisting of local area network, wide area network, the Internet, online network, direct modem, cellular communications and radio frequency communications.

**Claim 12 (currently amended):** The method according to claim 9, wherein said step of communicating said dynamically-customized shopping incentives to said processing application from said plurality of independently competing manufacturer controlled dynamic incentive offer engines is performed by each of the competitive incentive offer engines connected to the processing application via a method connection selected from the group consisting of local area network, wide area network, the Internet, online network, direct modem, cellular communications and radio frequency communications.

**Claim 13 (currently amended):** The method according to claim 9, wherein said step of communicating said dynamically-customized shopping incentive to said wireless device from said processing application is performed by wireless communication means.

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**Claim 14 (currently amended):** The method according to claim 9, wherein said step of communicating said selected dynamically-customized shopping incentive to a point of sale system from said wireless device is accomplished by dynamically rendering and displaying bar codes on the wireless device which are then read by the bar code scanner of the point of sale system.

**Claim 15 (currently amended):** The method according to claim 9, wherein said step of communicating said selected dynamically-customized shopping incentive to a point of sale system from said wireless device is accomplished with the point of sale system via wireless communication means.

**Claim 16 (currently amended):** The method according to claim 9, wherein said step of communicating said selected dynamically-customized shopping Incentives to be redeemed to said processing application from said wireless device is accomplished with the processing application via wireless communication means.